

22368. Misbranding of Peerless Disinfectant. U. S. v. J. Wayne Perkins (Peerless Chemical Co.). Plea of guilty. Fine, \$10. (F. & D. no. 32083. Sample no. 40964-A.)

Examination of a sample of Peerless Disinfectant showed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the label.

On March 19, 1934, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court an information against J. Wayne Perkins, trading as the Peerless Chemical Co., Des Moines, Iowa, alleging shipment by said defendant, on or about April 28, 1933, from the State of Iowa into the State of Minnesota, of a number of carboys and jugs of Peerless Disinfectant, and charging that the product in the jugs was misbranded in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of sodium hypochlorite, sodium chloride, sodium carbonate, sodium hydroxide, and approximately 92 percent of water.

It was alleged in the information that the article was misbranded in that the following statements borne on the label, regarding the curative and therapeutic effects of the article, were false and fraudulent: "Contagious Abortion: Preventive Measure and Aid in Control, Calf Scours, Hog Cholera: Preventive Measure, Poultry Roup-Canker * * * Cholera-Dysentery * * * 'Roup' Disinfect Premises. White Diarrhea * * * For Dandruff and falling hair."

The information also charged a violation of the Insecticide Act of 1910, reported in Notice of Judgment No. 1330, published under that act. On May 25, 1934, the defendant entered a plea of guilty to all counts of the information, and the court imposed a sentence of \$10 on the count charging violation of the Food and Drugs Act.

M. L. WILSON, Acting Secretary of Agriculture.

22369. Adulteration of ether. U. S. v. 37 Cans of Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32250. Sample no. 50588-A.)

Samples of ether taken from the shipment involved in this case were found to contain peroxide, a decomposition compound.

On March 6, 1934, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 37 cans of ether at Cleveland, Ohio, alleging that the article had been shipped in interstate commerce on or about June 14, 1932, by the Mallinckrodt Chemical Works, from St. Louis, Mo., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Half Pound Ether for Anesthesia."

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength as determined by the test laid down in the said pharmacopoeia official at the time of investigation, and its own standard was not stated on the label.

On April 21, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, Acting Secretary of Agriculture.

22370. Misbranding of Earle's Palatable Hypo-Col and Earle's Anti-Gas Tablets. U. S. v. 10 Dozen Bottles of Earle's Palatable Hypo-Col, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32298. Sample no. 68925-A.)

Examination of the drug preparations involved in this case showed that they contained no ingredients or combinations of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling. The labeling of the Hypo-Col represented that it contained no harmful or harsh ingredients and was valuable as a source of vitamins, whereas it contained ingredients that might be harmful, and was worthless as a source of vitamins A, B, C, D, and G.

On March 16, 1934, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 10 dozen bottles of Earle's Palatable Hypo-Col, each bottle accompanied by a sample of Earle's Anti-Gas Tablets at Philadelphia, Pa., alleging that the articles had